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Message Text

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21
ACTION NEA-10

INFO OCT-01 EUR-12 ISO-00 CIAE-00 NSAE-00 NSCE-00 SSO-00

USIE-00 INRE-00 PM-03 H-02 INR-07 L-02 NSC-05 PA-01

PRS-01 SP-02 SS-15 SCS-03 SCA-01 SAM-01 DEAE-00 SNM-02

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O 240606Z MAY 75
FM AMEMBASSY MANAMA BAHRAIN
TO SECSTATE WASHINGTON DC IMMEDIATE 2132
INFO SECDEF WASHINGTON DC IMMEDIATE
CNO WASHINGTON DC IMMEDIATE
CINCUSNAVEUR LONDON UK IMMEDIATE
COMIDEASTFOR IMMEDIATE

C O N F I D E N T I A L MANAMA 0595

E.O. 11652: GDS
TAGS : MARR, BA
SUBJECT : MIDEASTFORCE NEGOTIATIONS: JURISDICTION
IN NARCOTICS CASE

REF : MANAMA 571

1. AS ADDRESSEES AWARE, GOB IS AWAITING OUR RESPONSE TO ITS REQUEST FOR JURISDICTION IN A CASE INVOLVING NAVY PERSONNEL CHARGED WITH "POSSESSION AND USE" OF NARCOTICS. JURISDICTION ARRANGEMENTS WE HAVE NEGOTIATED IN PRINCIPLE EXPLICITLY PERMIT GOB TO EXERCISE JURISDICTION IN CASES INVOLVING "TRAFFICKING IN DRUGS" BUT MAKE NO SPECIFIC REFERENCE TO "POSSESSION AND USE".

2. MAY 23 LEGAL MINISTER BAHARNA, WHILE WE WERE ARRANGING MAY 26 MEETING ON OPIC AGREEMENT, ASKED IF USG WOULD BE WILLING TO CHANGE LANGUAGE IN AGREED DRAFT JURISDICTION NOTE (PARA 2A) TO INCLUDE "POSSESSION AND USE" AS WELL AS "DRUG TRAFFICKING". BAHARNA SAID IT HAD BEEN GOB'S INTENT
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ALL ALONG TO INCLUDE "POSSESSION AND USE" AND THAT HIS FAILURE TO ADD THIS CATEGORY OF OFFENSE IN ORIGINAL DRAFT

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NOTE AND SUBSEQUENT DISCUSSIONS HAD BEEN "OVERSIGHT". HE ADDED APOLOGETICALLY "WE SEEM TO BE GOVERNING MORE AND MORE BY OVERSIGHT THESE DAYS".

3. COMMENT: THIS CONFIRMS MY APPREHENSION (REFTEL) THAT GOB APPARENTLY THOUGHT ALL ALONG IT WAS GETTING JURISDICTION IN "POSSESSION AND USE" AS WELL AS TRAFFICKING CASES. I MUST STRESS BAHRANA'S COMMENTS WERE ALMOST OFFHAND AND IN NO WAY IMPLIED A DESIRE TO REOPEN PROTRACTED NEGOTIATIONS; RATHER HE INDICATED A DESIRE TO CORRECT THIS "OVERSIGHT" WITH THE STROKE OF A PEN. IN THIS CONTEXT, IT WOULD BE WRONG TO READ THIS REQUEST AS "YET ANOTHER CONDITION" GOB IS TRYING TO LAY ON CONTINUED NAVY PRESENCE. END COMMENT.

4. RECOMMENDATIONS: I AM NOT FULLY AWARE WHAT PRECEDENT PROBLEMS THIS GOB REQUEST MIGHT GIVE US, THOUGH I AM UNDER IMPRESSION JAPANESE, SPANISH, AND PHILIPPINE SOFA'S FOR EXAMPLE GIVE HOST GOVERNMENT SUCH JURISDICTION AND MUCH MORE. IF WE ARE PREPARED TO MEET THIS REQUEST, I RECOMMEND I BE AUTHORIZED TO CEDE JURISDICTION IN PRESENT PARTICULAR CASE BUT TO DEFER AGREEING TO GENERAL PRINCIPLE BY AMENDING TEXT OF JURISDICTION NOTE UNTIL GOB INDICATES IT READY TO CONCLUDE OVERALL NEGOTIATIONS FORMALLY.

5. TIMING: IT IS NOT IMPERATIVE I ANSWER BAHARNA MAY 26 BUT WE SHOULD REPLY TO SPECIFIC GOB REQUEST FOR JURISDICTION (REFTEL) BY END OF THIS MONTH. AS TO POSSIBLE TIMING OF FORMAL CONCLUSION OVERALL MIDDLE EAST FORCE NEGOTIATIONS, EVEN IF GOB ON VERGE OF MOVING, I SEE LITTLE HOPE DOCUMENTS CAN BE EXCHANGED BEFORE JUNE 1 AT EARLIEST. FOREIGN MINISTER HAS JUST RETURNED FROM OFFICIAL VISIT TO IRAQ FOR WEEKEND TO FIND ARCHBISHOP MAKARIOUS ON HIS DOORSTEP. MAY 24 HE AND PRIME MINISTER ARE OFF TO IRAN UNTIL MAY 28, AND PRIME MINISTER THEN PLANS TO GO DIRECT TO LONDON ON PRIVATE VISIT FOR AT LEAST A WEEK.
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Draft Date: 24 MAY 1975
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Disposition Approved on Date:
Disposition Authority: ShawDG
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D750182-1012
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